

**FREMONT PLANNING BOARD
October 26, 2005
Meeting Minutes**

Present: Co-Chairman Peter Gibb, Leon Holmes, Jr., Larry Stilwell, Dan Cocci, Conservation Commission rep/Alternate Jack Karcz, Building Inspector Thom Roy, RPC Rep. David West, and recording Secretary Meredith Bolduc.

Mr. Gibb called the meeting to order at 7:30 p.m.

Since there was a quorum and there were no voting issues on the agenda it was not moved that Mr. Karcz have voting rights for this meeting.

COUNTRYSIDE ESTATES, ALBERT WITHAM
Map 3 Lot 001

The Board received an October 6, 2005 correspondence from Raymond Town Manager Rick Bates requesting that the Town of Raymond be notified if Mr. Witham comes to the town to expand Countryside Estates. It was recently piped into and added to the Town of Raymond water supply.

BLACK ROCKS VILLAGE
Map 3 Lot 015-1

The Board received notice of the October 19, 2005 Site Specific permit for Black Rocks Village. The Board had no issues or additions to the permit.

GOVERNOR'S FOREST
Map 3 Lot 002

At 8 pm Mr. Gibb stated that at the October 12, 2005 meeting the Board agreed that a serious drainage problem does exist at the Governor's Forest project and agreed to revisit the progress of this project at 8 pm at tonight's meeting before taking any further action on the matter. Mr. Ferwerda was so notified by an October 13, 2005 written correspondence. It was also noted that at the last meeting Mr. Stilwell reported that he and Mr. Karcz visited the site this afternoon and particularly noticed that the silt appears to be outside of the drainage easement. The easement is described on the reference plan as a Drainage Easement consisting of a 20' radius arc of a 27' length x 255.66' x 65' x 122' and 150.61' with an area of 9,656 sf.

Mr. Gibb added that at the October 19, 2005 meeting the Board received and reviewed an October 18, 2005 correspondence from Mr. Ferwerda advising that he has engaged

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Norway Plains Associates, Inc., to review the drainage issues and to design a drainage structure on the easement and to mitigate the Board's concerns. Mr. Ferwerda also stated in the correspondence that he examined the rainwater control structures after the rain event of October 15, 2005 and found no evidence of sedimentation run-off leaving the Governor's Forest property. A correspondence was sent to Mr. Ferwerda on October 13, 2005 advising him that two members of the Board of Selectmen as well as the Code Enforcement Officer and members of the Planning Board had also visited the site and their findings were very different from his.

There was a discussion relative to the ongoing drainage problem at Governor's Forest and whether to have it fixed as per the conditions of approval document relative to the easement. That document states in part "*The owner of the manufactured housing park shall, along with the Town of Fremont and its agents, have the authority to enter onto said drainage easements to keep the free of debris and obstructions*" and "*With respect to the aforesaid drainage facilities, the Town of Fremont, at its option, may enter onto the site or sites, or common area within the Park, to repair and maintain the aforesaid drainage facilities as shown on the aforesaid plan, may assess the costs o thereof against the owner of the Park , and if such owner shall not reimburse the Town of Fremont in a timely fashion, the Town of Fremont may place a lien on said Park for the costs incurred by the Town.*"

Mr. Stilwell stated that there is at least a foot of silt in the area of, and outside of, the easement and culvert. Mr. Karcz agreed that there is definitely a runoff problem that needs to be addressed. Mr. Roy noted that in Lou Caron's August 25, 2005 written report he stated in part "*the off-site drainage issues are directly related to the fact that the on-site construction is not complete and erosion control measures not maintained adequately. The site developer must take a more proactive approach to controlling on site runoff and maintaining sediment control measures. Failure to do so may put the project in non-compliance with their town approval and state NHDES permit conditions.*" Mr. Holmes stated that the time is running out to fix the problem this year as it will soon be winter and the Board could be looking at an even larger runoff issue in the spring with the spring rains. The Board then discussed the Town's right, according to the Conditions of Approval document, to fix the problem at Mr. Ferwerda's expense.

The Board agreed that Mr. Ferwerda should be advised that if the drainage issue is not mitigated for the easement on the abutters property by December 1, 2005 then the Town shall secure an engineering review of the drainage structures and have the problem fixed at his expense, as per the language of the Conditions of Approval document which is part of the conditional approval of the plan. It was agreed that Mr. Gibb will contact the Selectmen's office to speak with them relative to a recommendation of whether to have Town Council issue a letter for course of action to Mr. Ferwerda.

IN-LAW APARTMENT ORDINANCE

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The Board reviewed the proposed In-Law Apartment regulations, made some changes and agreed to review them again at the next meeting. Then they will be reviewed by RPC and Town Counsel before scheduling a Public Hearing.

IMPACT FEES & CAPITAL IMPROVEMENTS PROGRAM

Impact Fees were discussed. Mr. Stilwell stated that in order to work on determining the Impact Fee there needs to be information relative to need and population. Mr. West will get the necessary projection of information and this will be on the agenda for the next work session which is November 30, 2005.

The Board received and reviewed an October 3, 2005 correspondence and CIP forms from RPC requesting a listing of capital purchases for capital improvement projects. It was agreed that this would be discussed along with Impact Fees at the next work session.

BUDGET

The Board received and reviewed the Planning Board budget and rationale for 2006. It was noted that the Planning and Zoning budgets have been combined as the office and its expenses are shared. It was also noted that the clerical line includes Planning, Zoning and Conservation Commission.

MINUTES

Mr. Holmes made the motion to approve the minutes of the October 19, 2005 meeting as written.

Motion seconded by Mr. Cocci with unanimous favorable vote.

CORRESPONDENCE

The Board reviewed all correspondences including:

1. The minutes of the September 15, October 6 & 12, 2005 Selectmen's meetings.
2. Notices of ZBA decisions for Fremont Sports, Map 2 Lot 135-1 and Edward Gibbs, Map 3 Lot 117.
3. The Board received from DOT a copy of an October 19, 2005 driveway alteration permit for Remi and Katherine Janzegers at 928 Main Street, Map 2 Lot 126.

Mr. Stilwell made the motion to adjourn at 9:45P.M.

Motion seconded by Mr. Holmes with unanimous favorable vote.

Respectfully submitted,
Meredith Bolduc, Secretary